

# Atlas Construction, Ltd.

Nevada Lic# 53500

5509 Avant Garde Court Las Vegas, Nevada 89146

Phone: 702.429.2851 Fax: 702.658.1843

## JUSTIFICATION FOR: SETBACKS

June 26<sup>th</sup>, 2007

### PETITIONER'S REQUEST

Mr. Raul Gil, Las Vegas City business man and owner of property located at 305 and 311 11<sup>th</sup> hereby requests this council to consider and adopt its proposed waiver for setback requirements currently delineated in the code. Said code calls for setbacks on all sides of the property of ten (10) feet. Petitioner respectfully requests that he be allowed a waiver of setback to allow a distance of seven (7) feet, ten (10) inches. As such, petitioner requests a waiver of two (2) feet, two (2) inches.

Petitioner's property has four (4) property lines facing North, South, East and West. Petitioner meets and/or exceeds the setback requirements on three of the property sides. He is seeking the setback for the North side of the property.

### REASONS FOR REQUEST:

Petitioner is requesting a very minimal deviation from the setback requirements, in this case, two (2) feet (2) two inches. The building currently present on this lot has been in existence for at least 20+ years. In order to meet any additional setback requirements would require petitioner to either have the entire building moved from its current foundation. This would not only be extremely expensive, possibly more than the property is worth, it would also be a risky proposition in that the building might suffer substantial damage if a move is attempted.

The only other alternative would be to try and move the property line the required distance. Again, this would be very expensive and would require third party approval for the sale of additional land to the north from that property owner. If he would not be inclined to sell only two (2) feet two (2) inches of his property then petitioner would be required to purchase his entire lot in order to obtain the two additional feet of land. The property owner has given no indication that the property is even on the market.

### CONCLUSION:

The property currently has the following setbacks for the adjoining property lines: front property line- 20 feet, Rear 15' feet, south side 10; feet. Given that petitioner is in substantial compliance with the current setback requirements for the north side property line and is in full compliance and in some instances more than full compliance with the requirement on the three adjoining property lines, he would respectfully request approval of this variance.

Sincerely,



Ray Desjardins

**ZON-23579 VAR-23580  
VAR-23582 SUP-23583  
SDR-23577 09/13/07 PC**

